

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/001553

International filing date (day/month/year)
08.04.2004

Priority date (day/month/year)
09.04.2003

International Patent Classification (IPC) or both national classification and IPC
F16B21/08, A47K13/12, A47K13/26

Applicant
KELLY, Joseph Steven

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITYInternational application No.
PCT/GB2004/001553

JC20 Rec'd PCT/PTO 11 OCT 2005

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/001553

Box No. II Priority

1. The following document has not been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-6,8-12,14,15,17,18,20,22,24
	No: Claims	1,7,13,16,19,21,23,25,26,27
Inventive step (IS)	Yes: Claims	24
	No: Claims	2-6,8-12,14,15,17,18,20,22
Industrial applicability (IA)	Yes: Claims	1-27
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)

International application No.

PCT/GB04/01553

JC20 Rec'd PCT/PTO 11 OCT 2005

1. Reference is made to the following documents:

D1: US-A-4 080 671
D2: CA-A-2 305 976
D3: DE 26 58 953 A

2. Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

2.1 In the light of the documents cited in the international search report, the subject-matter of **claims 1-23,25-27** does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and /or to involve an inventive step.

2.1.1 At this regard, reference is made with respect to **claims 1, 7, 13, 16, 19, 23, 25-27** to document **D1** (figures and column 1, line 39 - column 2, line 28; see also the claims)(Art.33(2) PCT); to **claims 1, 23, 25-27** see also document **D2** (in particular the figures, page 4, line 10 - page 8, line 2)(Art.33(2) PCT); to **claims 1, 7, 13, 16, 17, 19, 21, 23, 25-27** see **D3** (in particular the figures and the claim 4; see page 5, line 23 - page 10, line 5)(Art.33(2) PCT).

2.1.2 Inasmuch as the features of **the remaining claims** (apart from claim 24) are not directly known from the documents cited in the search report, they obviously concern only minor modifications thereto which come within the customary practice followed by a person skilled in the art of constructing fittings or installing toilet seats, and which therefore **cannot** be regarded as **inventive** (Article 33(3) PCT).

2.2 The subject-matter of claim **24**, solving the problem of assisting the holding in place of the fittings and reducing the sideways slippage of the same fittings, seems to be **novel and inventive** (Art.33(2) and (3)) thereby fulfilling the requirements of Article 33(1) PCT.

2.3. The subject-matter according to any of claims 1-27 is industrially applicable (Art. 33(4) PCT).

3. Re Item VII

Certain defects in the international application

3.1 To meet the requirements of Rule 6.3(b) PCT, the independent claims should have been properly casted in the two part form, with those features which in combination are part of the prior art being placed in the preamble (see D1 or D3).

3.2 Reference signs in parentheses should have been inserted in the claims to increase their intelligibility; this applies to both the preamble and characterising portion (Rule 6.2(b) PCT).

INTERNATIONAL SEARCH REPORT

PCT/GB2004/001553

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 F16B21/08 A47K13/12 A47K13/26

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
 IPC 7 A47K F16B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 080 671 A (STAHLI PAUL) 28 March 1978 (1978-03-28) the whole document ---	1-23, 25-27
X	CA 2 305 976 A (SIEB ERIK) 19 October 2001 (2001-10-19) claim 1; figures ---	1,23, 25-27
X	DE 26 58 953 A (PAG PRESSWERK AG) 6 July 1978 (1978-07-06) page 5, line 23 -page 10, line 5; claim 4; figure 1 ---	1,7,13, 16,17, 19,21, 23,25-27
A	GB 616 403 A (JOHN BOGEL CRAIG HENDERSON) 20 January 1949 (1949-01-20) page 2, line 1 - line 10; figure 4 ---	24 -/-

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the International filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

20 July 2004

Date of mailing of the international search report

27/07/2004

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INTERNATIONAL SEARCH REPORT

PCT/GB2004/001553

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 936 530 A (WOLLAR BURNELL) 26 June 1990 (1990-06-26) column 4, line 58 -column 9, line 57; figures 2,7 -----	1,7,8, 12-14, 16,17, 19,23,25

INTERNATIONAL SEARCH REPORT

Information on patent family members

PCT/GB2004/001553

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
US 4080671	A	28-03-1978	NONE			
CA 2305976	A	19-10-2001	CA	2305976 A1		19-10-2001
DE 2658953	A	06-07-1978	DE	2658953 A1		06-07-1978
GB 616403	A	20-01-1949	NONE			
US 4936530	A	26-06-1990	DE FR GB	3918440 A1 2632380 A1 2219342 A ,B		08-02-1990 08-12-1989 06-12-1989